

ORIGINAL

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C/M

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----x
KATHLEEN CRAPANZANO,

Plaintiff,
-against-

NATIONS RECOVERY CENTER, INC.,

Defendant.

-----x
MEMORANDUM AND ORDER
Case No. 11-CV-1008 (FB) (LB)

Appearances:

For the Plaintiff:

AMIR J. GOLDSTEIN, ESQ.
166 Mercer Street, Suite 3A
New York, NY 10012

For the Defendant:

HILARY FELICE KORMAN, ESQ.
Mel S. Harris & Associates LLC
5 Hanover Square, 8th Fl.
New York, NY 10004

BLOCK, Senior District Judge:

On July 6, 2011, Magistrate Judge Bloom issued a Report and Recommendation ("R&R") recommending that the Court award plaintiff attorney's fees in the amount of \$5,975 and costs in the amount of \$550. *See R&R at 1.* The R&R stated that failure to object within fourteen days of the date of the R&R would preclude further review. *See id.* No objections have been filed.

If clear notice has been given of the consequences of failure to object, and there are no objections, the Court may adopt the R&R without *de novo* review. *See Mario v. P & C Food Mkts., Inc.*, 313 F.3d 758, 766 (2d Cir. 2002) ("Where parties receive clear notice of the consequences, failure timely to object to a magistrate's report and recommendation operates as a waiver of further judicial review of the magistrate's decision."). The Court will excuse the failure to object and conduct *de novo* review if it appears that the magistrate judge may have committed plain error, *see Spence v. Superintendent, Great Meadow Corr.*

Facility, 219 F.3d 162, 174 (2d Cir. 2000); no such error appears here. Accordingly, the Court adopts the R&R without *de novo* review and directs the Clerk to enter judgment in accordance with the R&R.

SO ORDERED.

s/ Judge Frederic Block

FREDERIC BLOCK
Senior United States District Judge

Brooklyn, NY
July 14, 2011